IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 6787 of 2005(G)

PETITIONER:

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1. SAJINI P., AGED 28 YEARS,
   D/O. N.SREENIVASAN NAMBISSAN,
   "STABIN', CHETHUKADAVU,
   KUNNAMANGALAM, KOZHIKODE. (DATE ENTRY OPERATORS/
   OFFICE ASSISTANTS IN NATIONAL INSTITUTE OF
   TECHNOLOGY)

2. SINDHU M.P., AGED 30 YEARS,
   D/O. GOPALAKRISHNAN NAIR, JALAJA NIVAS,
   NEAR EDAKKAD, EDAKKAD P.O., KOZHIKODE.

3. DEEPA K.M., AGED 26 YEARS,
   D/O. NARAYANAN NAMBIAR, DEEPA PRABHA,
   MUNDOT PARAMBA, CHENOTH CALICUT,
   R.E.C. P.O., KOZHIKODE.

4. SHEEJA BAI K., KAYUNGAL HOUSE,
   PAZHOOR P.O., MAVOOR VIA., KOZHIKODE.

5. JAYA N., AGED 35 YEARS,
   W/O. SUDHEER, 'SREEVALLY', KOTTOOLI,
   KOZHIKODE.

BY ADV. SRI.M.SASINDRAN
SRI.TOJAN J VATHIKULAM

RESPONDENTS:

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1. THE NATIONAL INSTITUTE OF TECHNOLOGY
   CALICUT, REPRESENTED BY ITS REGISTRAR,
   CALICUT R.E.C. P.O., KOZHIKODE.

2. THE REGISTRAR, THE NATIONAL INSTITUTE
   OF TECHNOLOGY, CALICUT R.E.C. P.O., KOZHIKODE.

BY ADV. SRI.P.K.BABU, ADDL.CGSC
SRI.K.P.DANDAPANI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of the Certificate issued by the Deputy Registrar of the Regional Engineering College Calicut dated 5-4-1999 to the 1st petitioner

Ext.P2: True copy of the Certificate issued from the Regional Engineering College Calicut dated 29-5-1998 to the 2nd petitioner

Ext.P3: True copy of the Certificate issued by the Principal of the Calicut Regional Engineering College dated 4-7-1998 to the 3rd petitioner

Ext.P4 Series: True copy of the Certificates showing their engagement as Data Entry Operator/Typist during various periods between 1998-2004

Ext.P5: True copy of the list of Candidates engaged pursuant to the above written test.

Ext.P6: True copy of the proceedings dated 31-8-2004 of the 2nd respondent

RESPONDENT'S EXHIBITS

Ext.R2(a): True copy of the letter No.F.32-1/1999-Technical Section-III dated 28-05-2003 issued by the Government of India, Department of Secondary and Higher Education

Ext.R2(b) : True copy of the position of Non-Teaching Staff (Administration) as per the annual report and annual accounts of 1999-2000

Ext.R2(c): True copy of the agreement dated 02-09-2004 entered into between the first petitioner and this respondent

//True copy//

A.K.BASHEER.J

W.P.(C) No. 6787 of 2005

Dated this the 27th day of February 2007

JUDGMENT

In view of the dictum laid down by their Lordships of the Supreme Court in **Secretary , State of Karnataka and others Vs Umadevi (3) and others 2006 (4) SCC 1**, petitioners cannot claim regularisation, since admittedly petitioners were engaged as office assistants on purely a temporary and provisional basis and that too for a period of six months. Though the period was thereafter extended by four months , it is admitted by the petitioners that their services have been terminated . In view of the above, the reliefs prayed for cannot be granted.

The writ petition fails. It is accordingly dismissed.

A.K.BASHEER. JUDGE

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